

ORDINANCE 19-186

AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH CAROLINA, AMENDING THE FAIRMONT CODE OF ORDINANCES BY AMENDING CHAPTER 94 ANIMALS, SECTIONS 94.15 AND ESTABLISHING AN EFFECTIVE DATE.

NOW, THEREFORE, be it ordained by the Board of Commissioners of the Town of Fairmont, Robeson County, North Carolina, as follows:

Section 1. That Section 94.15, Non-Domestic Animals Prohibited, of the Fairmont Code of Ordinances, is amended in its entirety to read as follows:

“§ 94.15 NON-DOMESTIC ANIMALS.

- (A) This section shall apply to properties located within the corporate limits of the town or in the Extra Territorial Jurisdiction within 100 feet of the corporate limits of the town.
- (B) No person shall possess or harbor any non-domestic animal which is dangerous to persons or property or which has the potential of being dangerous to persons or property. This section shall not apply to bona fide circuses, petting zoos and other traveling commercial animal exhibitions of limited duration.
- (C) It shall be unlawful for any person to maintain, keep, stable or house any livestock, horses, cows, fowl, sheep, goats or other non-domestic animals including poultry within the corporate limits of the town within 175 feet of any dwelling, school, church, restaurant, grocery store, drugstore, or other retail establishment, or within 100 feet of a septic tank or private water supply intended for human consumption. In addition, it shall also be unlawful to keep or maintain such animals by means of tether, fence or other type enclosure within 100 feet of the property line of an adjoining lot unless the adjoining lot is and the lot or area housing the livestock are under the same ownership: The following conditions must also be met when housing non-domestic livestock:
 - (1) Lot Size. The lot, section of land, or parcel shall not be less than 2 acre of undeveloped land. Land area can be met by combining lots as long as the combined unimproved area is at least 2 acre in size.
 - (2) No livestock shall be maintained for commercial sale or processing purposes in any residential zoning district of the town. All livestock shall be maintained for personal use and consumption only.
 - (3) Structures for Livestock. Best management practices shall be applied in using and maintaining structures for livestock, including stables, so as to eliminate or minimize nuisance and adverse impacts to the maximum extent possible. All yards, premises, sheds, structures, coops, and the like, occupied by livestock shall be deemed a nuisance if not cleaned regularly and kept in a sanitary condition at all times.

(4) Livestock shall be limited to three regardless of species with the exception of domestic chickens/fowl. Chickens/fowl shall be limited to 10. Any combination of the permitted number of chickens/fowl and the permitted number of other livestock shall require one additional acre of land.

(D) Hogs or swine are prohibited; exceptions. No hogs or swine are permitted to be in any zone within the corporate limits, except in an industrial district for manufacturing purposes and/or in connection with a fair or other special event conducted on a temporary basis.

(E) This section shall not be construed to prohibit the maintaining, keeping or housing of any hogs or pigs for immediate slaughter by licensed meat packer or abattoir.

(Ord. passed 1.15.19) Penalty, see § 94.99.”

Section 2. That this ordinance shall become effective immediately upon its adoption.

PASSED AND ADOPTED after first and only reading this 15th day of January, 2019.

TOWN OF FAIRMONT

BY: _____
Charles Townsend, Mayor

ATTEST: _____
Jennifer H. Larson, Town Clerk